

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 4103 of 2005

Between:

M. Nagendram S/o M. Narasimha, S.G. Teacher,
Government U.P.School, Veerannapet, Mahaboobnagar District

..... PETITIONER

AND

1. The District Educational Officer, Mahaboobnagar, Mahaboobnagar District
2. The Commissioner and Director School Education,

Andhra Pradesh, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction in the nature of *Writ of Certiorari* calling for the records relating to O.A. No. 724/2005 dated 24-02-2005 on the file of the Hon'ble A.P. Administrative Tribunal, Hyderabad and quash the same and further declare the proceedings issued in No. B2/7353/2004 dated 14-07-2004 and proceedings Rc. No. B2/10432/2003-1 dated 17-02-2005 as illegal, arbitrary and violative of Article 14 and 16 of Constitution of India and further declare that petitioner is entitled to continue/report as S.G.T., Government Upper Primary School, Veerannapet.

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondents: GP FOR SERVICES II

The Court at the admission stage made the following:

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ORDER:(Per Hon'ble Sri Justice G. Bikshapathy)

The writ petition is filed by the petitioner assailing the order passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.724 of 2005, dated 24.02.2005.

2 . The petitioner was transferred by proceedings in Rc.B2/10432/2003-1, dated 17.2.2005, which came to be challenged in the O.A. The Tribunal, after considering the matter, directed the applicant to file an appeal before the Commissioner, within two weeks from the date of receipt of the order and on such appeal being filed, the same shall be disposed of by the Commissioner, within a period of four weeks thereafter. Against the said order, the present writ petition has been filed.

3. We have heard the learned counsel for the petitioner and the learned Government Pleader.

4. In view of the directions given by the Tribunal, we are not inclined to interfere with the order of the Tribunal.

5. Accordingly, we dispose of the writ petition. However, we leave it open to the Commissioner to consider the case of the petitioner to post him to the nearest place keeping in view the health condition of the petitioner. No costs.

(G. BIKSHAPATHY)

(P.S. NARAYANA, J)

Date: 04.03.2005

Ksn

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Registrar, A.P. Administrative Tribunal, Hyderabad.

2. The District Educational Officer, Mahaboobnagar,

Mahaboobnagar District

3. The Commissioner and Director, School Education,

Andhra Pradesh, Hyderabad.

4. 2 CCs to G.P. for Services-II, High Court Buildings, Hyderabad (OUT).

5. 2 CD copies

6. 1 CC to MR.SURENDER RAO

*Form-NIC-OGS/WP{**TRT**}*